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BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Botstein et al.

Appln. No.: 09/943,664

Filed: August 30, 2001

For: SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME

Examiner: O'Hara

Art Unit: 1646

Attorney Docket No: 10466/127 (P2548P1C8)

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Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

☒ Submission under 37 CFR 1.114 (*check at least one of the following*):

☐ Previously submitted:

- ☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.
- ☐ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on _____
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other: _____

☒ Attached is/are:

- ☐ An Information Disclosure Statement
- ☐ An Amendment to the written description, claims, or drawings
- ☒ New Arguments and/or New Evidence in support of Patentability
- ☐ Other: _____

Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☐ Small Entity Status:

- ☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.
- ☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.
- ☐ Is no longer desired.

☒ Applicant(s) calculate the following fees to be due in connection with this Request:

- ☒ A Request fee of \$790 under 37 C.F.R. §1.17(e).
- ☐ A suspension processing fee of \$_____ under 37 C.F.R. §1.17(i).
- ☐ An additional filing fee of \$_____ under 37 C.F.R. §1.16 (_____ additional independent claims and/or _____ additional total claims).
- ☒ An extension fee of \$120 under 37 C.F.R. §1.17(a) for a 1-month extension of time.

☒ Fee payment to cover the above-enumerated fee(s):

- ☐ A check in the amount of \$_____ is enclosed.
- ☒ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$910. A copy of this Request is enclosed for this purpose.
- ☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

June 20, 2006
Date

C. Noel Kaman
C. Noel Kaman (Reg. No. 51,857)